

## **REMARKS**

Claims 1-4, 6-22, and 24-27 are presently pending and stand rejected.

Claims 1-4, 6-7, 10-15, 19-22, and 24-25 are rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Malladi in view of Hulmani. Claims 8-9, 16-18, and 26-27 were rejected under 35 U.S.C. 103(a) as being obvious from Malladi in view of Hulmani and further in view of Forecast.

Assignee respectfully traverses the rejection. "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person." 35 U.S.C. 103(c)(1).

Hulmani, U.S. Patent 7,349,428 and the present invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person, Broadcom Corporation. See Hulmani, Assignee field; and Patent Assignment Abstract of Title for 10/816,724. Accordingly, Assignee respectfully requests that Examiner withdraw the rejection to claims 1-4, 6-22, and 24-27.

## **CONCLUSION**

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are allowable and Examiner is respectfully requested to pass

this case to issuance. The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

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Respectfully submitted,



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